



1204.45527X00

IFW

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: T. KOBAYASHI, et al.  
Serial No: 10/553,747  
Filed: OCTOBER 18, 2005  
Title: MOLECULAR DETECTION METHOD, MOLECULAR COUNTING METHOD, MOLECULAR LOCALIZATION DETECTION METHOD, AND MOLECULAR DETECTION SYSTEM USED THEREFOR  
Group AU: 1634  
Examiner: Narayan Kameshwar Bhat  
Confirm. No: 5938

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97 & 1.98**

**Mail Stop: AMEND – NO FEE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

January 3, 2007

Sir:

Pursuant to Applicants' duty of disclosure, enclosed please find a copy of an Official Action issued on October 3, 2006, in connection with a counterpart Japanese application, together with an English translation thereof; and a copy of an Official Action issued on October 6, 2006, in connection with a counterpart Australian application.

Also enclosed are copies of documents cited in the enclosed Official Actions, that have not previously been cited and submitted for consideration by the Examiner in connection with the above-identified application. That is, enclosed please find copies of International (PCT) Publication No. WO 2004/003551; U.S. Patent No. 4,868,396; and the article by Hansma, "Varieties of imaging with scanning probe microscopes", in PNAS (December 21, 1999), Vol. 96, No. 26, pages 14678-14680.

Please note that the other documents cited in the enclosed Official Actions (that is, Documents 1-6 on the third page of the English translation of the enclosed Japanese Official Action issued on October 3, 2006) have previously been submitted for consideration by the Examiner. Of these previously submitted documents, please note that JP 3386883 was submitted with the Information Disclosure Statement filed October 18, 2005, upon originally filing the above-identified application; and the other references previously submitted, were submitted with the Information Disclosure Statement filed May 19, 2006.

This Information Disclosure Statement is being submitted prior to a first Office Action on the merits in the above-identified application. Accordingly, requirements of 37 CFR 1.97(b) are satisfied.

In any event, the following Statement is made under 37 CFR 1.97(e):

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

To the extent that the enclosed documents are not in English, it is respectfully submitted that requirements of 37 CFR 1.98(a)(3) are satisfied by the enclosed English-language translation of the enclosed Official Action issued on October 3, 2006, in the counterpart Japanese application, and/or by the English abstract of the enclosed International (PCT) published application. In addition, please note that the enclosed English translation of the enclosed Official Action in the counterpart Japanese application further satisfies requirements of 37 CFR 1.98(a)(3), with respect to previously submitted documents in Information Disclosure Statements submitted October 18, 2005 and May 19, 2006, and referred to previously.

Also enclosed is a Form PTO/SB/08A, listing the enclosed documents.

In view of the foregoing, it is respectfully submitted that all applicable requirements of 37 CFR 1.97 and 1.98 have been satisfied, in connection with each of the documents listed on the enclosed Form. Accordingly, consideration of the listed documents, upon examination of the above-identified application, is respectfully requested.

Please charge any shortage of fees due in connection with the filing of this paper to the Deposit Account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (case No. 1204.45527X00), or credit any excess fees paid to such Deposit Account.

Respectfully submitted,

**ANTONELLI, TERRY, STOUT & KRAUS, LLP**

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PTO/SB/08A (08-03)  
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<b>Substitute for form 1449A/PTO</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>BY APPLICANT</b>  <b>January 3, 2007</b>  <small>(use as many sheets as necessary)</small>		<b>Complete if Known</b>			
		Application Number	10/553.747		
		Filing Date	10/18/2005		
		First Named Inventor	T. KOBAYASHI, et al.		
		Art Unit	1634		
		Examiner Name	Narayan Kameshwar Bhat		
Sheet	1	of	1	Attorney Docket Number	1204.45527X00

U.S. PATENT DOCUMENTS						
Examiner Initials'	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)				
		US-	4,868,396	09/19/1989	S. M. Lindsay	
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				

FOREIGN PATENT DOCUMENTS						
Examiner Initials'	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> –Number <sup>4</sup> –Kind Code <sup>5</sup> (if known)				
		WO 2004-003551	01/08/2004	K. Takada		A

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Japanese Official Action, for Patent Application No. 2005-505471, issued October 3, 2006.	T
		Australian Official Action, for Patent Application No. 2004230714, issued October 6, 2006.	
		H. G. Hansma, "Varieties of imaging with scanning probe microscopes", <i>PNAS</i> , Vol. 96, No. 26, December 21, 1999, pp. 14678-14680.	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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